

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**HARRIS CORPORATION, a
Delaware corporation,**

Plaintiff,

vs.

**TRIPLE M INVESTMENTS, LTD. and
JOHN C. MITCHELL,**

Defendants.

CASE NO. 8:06CV37

ORDER OF DISMISSAL

This matter is before the Court on the Motion to Dismiss (Filing No. 12) submitted by the Defendants Triple M Investments, Ltd., and John C. Mitchell, alleging that this Court lacks diversity jurisdiction in this case, and the Notice of Case Dismissal (Filing 16) submitted by the Plaintiff, Harris Corporation, which is construed as a motion to dismiss, without prejudice.

IT IS ORDERED:

1. The Notice of Case Dismissal submitted by the Plaintiff, Harris Corporation, (Filing No. 16), construed as a motion to dismiss, is granted;
2. The Motion to Dismiss submitted by Defendants Triple M Investments, Ltd., and John C. Mitchell (Filing No. 12), is denied as moot; and
3. This case is dismissed, without prejudice, each party to bear its own costs.

DATED this 9th day of June, 2006.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge